

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2025

A. At least 60 days' written notice of the voluntary closure date of the ICF/IID to the department; and

B. At least 30 days' written notice of the voluntary closure date of the ICF/IID to any governmental units or institutions that are primarily responsible for the welfare of the ICF/IID's clients and to:

(1) The clients of the ICF/IID; and

(2) As applicable, the clients' guardians, family members and both medical and financial powers of attorney.

The purpose of the notice under this paragraph is to provide for adequate preparation for the orderly transfer of ICF/IID clients to another qualified facility.

12. Intermediate sanctions. In addition to the actions authorized in subsections 13 and 14, the department may impose intermediate sanctions to improve the quality of care in ICF/IIDs.

13. Amend, modify or refuse to renew license. In respect to any license issued under this section, the department may amend, modify or refuse to renew a license by initiating proceedings consistent with the Maine Administrative Procedure Act or filing a complaint with the District Court requesting suspension or revocation of that license for the following conduct:

A. Violation of this section or any rules adopted pursuant to this section;

B. Permitting, aiding or abetting the commission of any illegal act in the ICF/IID to which the license applies; or

C. Engaging in practices that are detrimental to the welfare of a client of the ICF/IID.

14. Suspend or revoke license. Whenever conditions are found in an ICF/IID that violate this section or department rules issued pursuant to this section that, in the opinion of the commissioner, immediately endanger the health or safety of the clients of the ICF/IID or create an emergency, the department by its duly authorized agents may request, under the emergency proceeding provisions of Title 4, section 184, subsection 6, that the District Court suspend or revoke the ICF/IID's license.

15. Appeals. Any person that is aggrieved by the decision of the department to refuse to issue a license or renew a license may request a hearing as provided by the Maine Administrative Procedure Act.

16. Rules. The department shall adopt rules to administer this section. Rules adopted pursuant to this section are routine technical rules within the meaning of Title 5, chapter 375, subchapter 2-A. Rules must include, but are not limited to:

A. General licensing requirements;

B. Application requirements;

C. Quality measures;

D. Personnel qualifications;

E. Mandatory and minimum training requirements;

F. Compliance with federal certification requirements;

G. Staffing requirements;

H. Services provided and coordination of services;

I. Supervision and organizational structure, including lines of authority;

J. Physical plant and environmental requirements;

K. Record-keeping and confidentiality practices;

L. Business records requirements;

M. Clients' rights;

N. Medical services requirements;

O. Infection control and biomedical waste requirements;

P. Management of personal funds of clients;

Q. Requirements of the ICF/IID before, during and after both voluntary and involuntary termination of services; and

R. Other aspects of services provided by an ICF/IID that may be necessary to protect clients.

Sec. 5. 22 MRSA §8752, sub-§2, as amended by PL 2011, c. 542, Pt. A, §48, is repealed and the following enacted in its place:

2. Health care facility. "Health care facility" or "facility" means a general or specialty hospital including all facilities under the hospital's license, an ambulatory surgical facility, an end-stage renal disease facility and a state institution as defined under Title 34-B, chapter 1, except that it does not include a facility licensed as a nursing facility or licensed under chapter 1664.

See title page for effective date.

CHAPTER 238

H.P. 567 - L.D. 881

An Act to Establish an Apprentice Insurance Producer License

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRSA §1420-Q is enacted to read:

§1420-Q. Apprentice insurance producer license

Beginning January 1, 2026, the superintendent may issue an apprentice insurance producer license in accordance with this section and section 1420-J without requiring an examination. An applicant for a license as an apprentice insurance producer shall apply to the superintendent in the form and manner determined by the superintendent.

1. Licensing requirements. An apprentice insurance producer license may not be issued unless an applicant:

A. Is 18 years of age or older;

B. Is employed by a licensed resident insurance producer who has certified to the superintendent on a form prescribed by the superintendent that the licensed resident insurance producer will supervise the apprentice insurance producer licensee and will assume responsibility for all acts of the apprentice insurance producer licensee;

C. Has submitted an application for an insurance producer license and meets the requirements for an insurance producer license, except for passage of any required examination. The applicant and sponsor shall provide any information requested by the superintendent as part of the review of the application;

D. Has not previously held or been denied an insurance producer license under this Title in this State or a comparable insurance producer license in any other jurisdiction and has not previously been issued or denied an apprentice insurance producer license;

E. Is a resident of this State at the time of application and remains a resident of this State throughout the apprenticeship; and

F. Has paid the temporary licensing fee required by section 601, subsection 5, paragraph C and any applicable application fee.

2. Sponsor required. An apprentice insurance producer license may not be issued without the sponsorship of a licensed resident insurance producer. A sponsor shall complete an application required by the superintendent. The sponsor may not have any restriction on the sponsor's producer license, including, but not limited to, being on probation or having any disciplinary reporting requirements to the superintendent. The sponsor must have held a Maine producer license in good standing for at least one year prior to applying to be a sponsor and must meet any other requirements established by the superintendent. The superintendent may revoke a sponsor's authorization to employ an apprentice insurance producer for failing to comply with any requirements of the sponsorship and for any of the reasons for disciplinary action under section 1420-K.

3. Legal responsibility. A sponsor who employs an apprentice insurance producer licensee assumes all

legal responsibility for all acts of the apprentice insurance producer licensee who is employed by the sponsor.

4. License duration; nonrenewable. An apprentice insurance producer license may not be authorized for more than 180 days. After having completed 180 days as an apprentice insurance producer, the apprentice insurance producer may not engage in any insurance activities requiring an insurance producer license without obtaining an insurance producer license in accordance with the requirements of this subchapter.

5. Activities limited to risks located in this State. An apprentice insurance producer may perform only activities that would otherwise require an insurance producer license for risks located in this State and only for those activities for which the sponsor is authorized under the sponsor's licensing authority.

6. Appointment required. An apprentice insurance producer may not act as an agent of an insurer unless appointed by the insurer pursuant to section 1420-M.

7. Activities limited to those not requiring additional training or authority. An apprentice insurance producer may not perform any activities that require training or authority in addition to an insurance producer license, including activities under the federal Affordable Care Act, long-term care insurance and annuities. In addition, an apprentice insurance producer may not perform any activities otherwise requiring a producer license involving life insurance.

8. Limitations. The superintendent may limit the issuance of apprentice insurance producer licenses to no more than 2 active apprentice insurance producer licenses per sponsor during a calendar year. The superintendent may limit the authority of an apprentice insurance producer licensee in any way determined necessary, in addition to those specified in this subsection, to protect insureds and the public and may by order revoke an apprentice insurance producer license if the interest of insureds or the public is endangered or for any cause in section 1420-K, subsection 1.

9. Reporting of actions. An apprentice insurance producer and a sponsor shall report in a timely manner any actions involving the apprentice insurance producer in the same manner as required of a producer by section 1420-P.

10. Termination of apprenticeship. If an apprentice insurance producer is no longer employed by a sponsor prior to the end of the apprenticeship, or if the sponsor terminates the sponsorship prior to the end of the 180-day period under subsection 4, the sponsor and the apprentice insurance producer shall notify the superintendent within 5 business days of the end of employment or end of the sponsorship.

11. Rulemaking. The superintendent may issue guidance by rule or otherwise setting forth any additional requirements and limitations for apprentice insurance producer licensing and sponsorship, including eligible and ineligible lines of insurance and limitations or standards for commissions. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, chapter 2-A.

See title page for effective date.

CHAPTER 239

H.P. 580 - L.D. 915

An Act to Modernize Deed Duplication from Microfilm to a Digital Image

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 33 MRSA §651, 3rd ¶, as repealed and replaced by PL 2003, c. 55, §1, is amended to read:

The register shall prepare, or have prepared, a ~~microfilm~~ record of each page of every instrument, plan or other document recorded in the registry office. The ~~microfilm~~ record made must be stored in a fireproof area and a digital image stored on magnetic or optical media. When original record books or plans are considered by the register to be in a condition that warrants withdrawal from regular use, the register may make a true copy of the contents of the record or may provide suitable means for reading the ~~microfilm, microfiche or~~ digital image stored on magnetic or optical media of the instruments withdrawn. The records and certified copies made either from the true copy or from images stored as provided in this section must be received in all courts of law with the same legal effect as those contained in the original.

Sec. 2. 33 MRSA §652, 3rd ¶, as amended by PL 2019, c. 439, §1, is further amended to read:

Paper plans submitted for recording must be rolled and not folded. The register may return plans that are not legible for recording and archival purposes and the processing of which may damage county equipment or resources. The register shall permanently file the original, create a digital image of the plan at a minimum of 300 dots per inch or 300 pixels per inch and maintain a copy for public inspection in paper or digital image form. Each plan must be ~~microfilmed~~ maintained as a digital image stored on magnetic or optical media for archival purposes. Each register shall maintain an index of all plans on record in the register's office.

See title page for effective date.

CHAPTER 240

H.P. 928 - L.D. 1406

An Act to Amend Certain Definitions in the Child and Family Services and Child Protection Act

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to apply to cases of abuse or neglect of a child or jeopardy to health or welfare of a child as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §4002, sub-§1, as amended by PL 2021, c. 176, §1, is further amended to read:

1. Abuse or neglect. "Abuse or neglect" means a threat to a child's health or welfare by physical, mental or emotional injury or impairment; or sexual abuse or exploitation including under Title 17-A, sections 282, 852, 853 and 855 ~~or deprivation of essential needs~~; or lack of protection from these, by a person responsible for the child. "Abuse or neglect" also means serious harm or threat of serious harm by a person responsible for the child due to inadequate care or supervision of the child or deprivation of food, clothing, shelter, education or medical care necessary for the child's health or welfare by that person when that person is financially able to provide food, clothing, shelter, education or medical care necessary for the child's health or welfare or is offered lawful and reasonable financial means or resources to do so. "Abuse or neglect" also means truancy under Title 20-A, section 3272, subsection 2, paragraph C or section 5051-A, subsection 1, paragraph C or D when truancy is the result of neglect by a person responsible for the child. "Abuse or neglect" also means a threat to a child's health or welfare caused by child sex trafficking by any person, regardless of whether or not the person is responsible for the child.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 10, 2025.